

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
ROANOKE DIVISION**

BRANDON JAMES CLARK,
 Petitioner,

v.

HAROLD CLARKE,
 Respondent.

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Civil Action No. 7:14-cv-00042

ORDER

By: Hon. Michael F. Urbanski
 United States District Judge

In accordance with the written Memorandum Opinion entered this day, it is hereby

ORDERED

that the petition for writ of habeas corpus, pursuant to 28 U.S.C. §2254, is **DISMISSED without prejudice** as unexhausted; a certificate of appealability is **DENIED**; and the action is **STRICKEN** from the active docket of the court.

The Clerk is directed to send certified copies of this Order and the accompanying Memorandum Opinion to Petitioner.

Entered: February 10, 2014

/s/ Michael F. Urbanski

Michael F. Urbanski
United States District Judge